

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

COMPRESSION LABS, INC.,

Plaintiff,

-against-

1. DELL INC.,
2. INTERNATIONAL BUSINESS MACHINES CORPORATION,
3. TOSHIBA AMERICA, INC.,

C.A. No. 2-04-CV-159 (DF)

Defendants.

**[Proposed] SCHEDULING ORDER**

In accordance with the case scheduling conference held in this action on the \_\_\_ day of \_\_\_\_\_, 200\_\_\_, the Court finds that the following scheduling order should issue. It is, therefore, ORDERED that the following schedule of deadlines are in effect until further order of this Court:

**Schedule**

<u>Date</u>	<u>Event</u>
December 6, 2004	Exchange of Proposed Terms and Elements for Construction
January 17, 2005	Exchange of Preliminary Constructions and Extrinsic Evidence
February 14, 2005	Exchange Expert Reports on Claim Construction Issues
March 7, 2005	Exchange Rebuttal Expert Reports on Claim Construction Issues
March 21, 2005	Deadline to Meet and Confer re: Claim Construction Issues
April 4, 2005	Deadline to File Joint Claim Construction Statement

<u>Date</u>	<u>Event</u>
April 25, 2005	Deadline for Plaintiffs' Opening Markman Brief(s)
May 23, 2005	Deadline for Defendants' Opening Markman Brief(s) and Response(s) in Opposition to Plaintiffs' Markman Brief(s)
June 13, 2005	Deadline for Plaintiffs' Reply(ies) In Support of their Markman Brief(s) and in Opposition to Defendants' Markman Brief(s)
June 30, 2005	Deadline for Defendants' Reply(ies) In Support of their Markman Brief(s)
July 18, 2005	Markman Hearing
January 6, 2006 (45 days before fact discovery closes)	Deadline for Service of Expert Reports by the Party with the Burden of Proof on the Claim or Defense at Issue
February 20, 2006	Close of Fact Discovery
March 6, 2006 (2 weeks after fact discovery closes)	Deadline for Service of Rebuttal Expert Reports
April 17, 2006 (6 weeks after exchange of responsive reports)	Close of Expert Discovery
May 22, 2006 (5 weeks after close of expert discovery)	Deadline for any Dispositive Motions or Daubert Motions
June 19, 2006 (4 weeks after dispositive motions)	Deadline for Responses in Opposition to any Dispositive Motions or Daubert Motions filed on May 22, 2006
July 10, 2006 (3 weeks after responses)	Deadline for Replies in Support of any Dispositive Motions or Daubert Motions filed on May 22, 2006
July 31, 2006 (3 weeks after briefing completed)	Hearings on any Dispositive Motions or Daubert Motions filed on May 22, 2006
August 7, 2006 (1 week after hearing)	Deadline for Plaintiffs to submit draft of Pretrial Order and Proposed Jury Instructions to Defendants
August 28, 2006	Deadline for Defendants to submit revisions to draft Pretrial Order and Proposed Jury Instructions to Plaintiffs
September 1, 2006	Deadline to Meet and Confer regarding Joint Pretrial Order and Proposed Jury Instructions
September 4, 2006	Deadline for any Motions in Limine

<u>Date</u>	<u>Event</u>
September 15, 2006 (6½ weeks after hearing)	Deadline for Submission of Joint Pretrial Order, Proposed Jury Instructions and Responses in Opposition to Motions in Limine
September 25, 2006 (1½ weeks after submission of Joint Pretrial Order)	Final Pretrial Conference
October 2006	Trial

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

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DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE